IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6388 of 1992
with
SPECIAL CIVIL APPLICATION NO. 6648 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 7060 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 7425 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 7451 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 8770 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 8998 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 9010A OF 1993
with
SPECIAL CIVIL APPLICATION NO. 9780 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 11178 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 13763 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 13767 OF 1993
with
SPECIAL CIVIL APPLICATION NO. 13943 OF 1993

For Approval and Signature:

Hon'ble MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAMESHBHAI RAMUBHAI PATEL

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 6388 of 1992
   MR JB PARDIWALA for Petitioner No. 1-9
   MR SIRAJ GORI, Ld. AGP for Respondent No. 1
   ..... for Respondent No.

2. Special Civil Application No. 6648 of 1993
   MR CH VORA for Petitioner
   MS DS PANDIT, Ld. AGP for Respondent No. 1
   ..... for Respondent No.

3. Special Civil Application No. 7060 of 1993
   MR KA MEHTA for Petitioner
   MR SIRAJ GORI, Ld. AGP for Respondent No. 1
   ..... for Respondent No.

4. Special Civil Application No. 7425 of 1993
   MR CJ VIN for Petitioner
   MS DS PANDIT, Ld. AGP for Respondent No. 1
   ..... for Respondent No.

5. Special Civil Application No. 7451 of 1993
   MR CJ VIN for Petitioner
   MS DS PANDIT, Ld. AGP for Respondent No. 1
   ..... for Respondent No.

6. Special Civil Application No. 8770 of 1993
   MR JR PARDIWALA for Petitioner
   MS SB TRIVEDI, Ld. AGP for Respondent No. 1
   ..... for Respondent No.

7. Special Civil Application No. 8998 of 1993
   MR NK MAJMUDAR for Petitioner
   MS SB TRIVEDI, Ld. AGP for Respondent No. 1
   ..... for Respondent No.

8. Special Civil Application No. 9010A of 1993
   MR SV BACHANI for Petitioner
   MS SB TRIVEDI, Ld. AGP for Respondent No. 1
   ..... for Respondent No.

9. Special Civil Application No. 9780 of 1993

MR KS JHAVERI for Petitioner
MR SIRAJ GORI, Ld. AGP for Respondent No. 1
..... for Respondent No.

10. Special Civil Application No. 11178 of 1993
M/s S & S ASSO. for Petitioner
MS SB TRIVEDI, Ld. AGP for Respondent No. 1
..... for Respondent No.

11. Special Civil Application No. 13763 of 1993
MR UM PANCHAL for Petitioner
MR SIRAJ GORI, Ld. AGP for Respondent No. 1
..... for Respondent No.

12. Special Civil Application No. 13767 of 1993
MR UM PANCHAL for Petitioner
MR SIRAJ GORI, Ld. AGP for Respondent No. 1
..... for Respondent No.

13. Special Civil Application No. 13943 of 1993
MR MG DOSHIT & Co. for Petitioner
MS DS PANDIT, Ld. AGP for Respondent No. 1
..... for Respondent No.

CORAM : MR.JUSTICE JAYANT PATEL

Date of decision: 04/12/2002

COMMON ORAL JUDGEMENT

1. Considering the facts and circumstances of the cases, I am of the view that the dispute and the subject matter of these petitions are covered and rights of the parties are governed by the decision of the Larger Full Bench of this Court in the case of "Shailesh Jadavji Varia v. Sub-Registrar, Vadodara & Ors.", reported in 1996(3) GLR, 783. In view of the aforesaid decision, the following directions would meet with the ends of justice:

1.1 The petitioners shall approach before the Appellate Authority/Competent Authority for preferring appeal or reply to notice within a period of eight weeks from today.

1.2 It is further directed that the Appellate Authority/Competent Authority shall consider the appeal/reply to notice on its merits, without considering the question of delay and the decision shall be rendered by the Appellate

Authority/Competent Authority within three months from the date of presentation of appeal/reply to notice.

1.3 It will be open to the petitioners as well as to Competent Authority in appeal to raise all contentions available under the law, and it will be open to petitioners to raise all contentions in reply to notice including the points which are covered by the above referred decision of the Larger Full Bench.

2. All these petitions are disposed of in terms of the aforesaid directions. Subject to the aforesaid directions, rule is discharged.

4-12-2002 (Jayant Patel, J.)

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